



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:
Dirk Wagenaar, et al.

Examiner: Ori Nadav

Application No.: 09/890,575

Group Art Unit: 2811

Filed: January 29, 2000

Attorney Docket: 991174

For: Mico-Relay

RECEIVED

MAY 12 2003

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Assistant Commissioner for Patents
Washington, DC 20231

OFFICE OF PETITIONS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on May 6, 2003.

Paula Capriglione
Paula Capriglione

PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION

Sir:

This is in response to the Notice of Abandonment mailed on April 29, 2003. Applicants file this Petition under 37 CFR §1.137(b) to revive the above application, which was unintentionally abandoned.

On September 3, 2002, the Office mailed an Office Action imposing a Restriction Requirement on the application. The office of the undersigned attorney received that Office Action on or about September 6, 2002. The due date for response to the Office Action expired on October 3, 2003. While Applicant's attorney admits that the Office Action was received in his office, there is no indication that the undersigned actually saw the Office Action. No response was filed.

The undersigned attorney cannot definitively explain why no response was filed to the Office Action. However, the undersigned can state that his office was in the process of moving to a new office suite in the same building at about the time that a response to the Office Action was due. During that period, files were being boxed up in preparation for the move. It is the attorney's belief that this file

became misplaced during that move and was never acted upon for that reason. There is no instruction or other indication in the file, nor anywhere else that this attorney is aware of, to abandon this application. Since receiving the Notice of Abandonment, the undersigned attorney has confirmed that this application should not have gone abandoned and that there was never any intent to abandon this application, by failure to respond to the Office Action or otherwise.

Accordingly, the undersigned attorney submits that the failure to respond to the Office Action, and the resulting abandonment of the application, and the entire delay between the due date for the reply (i.e., October 3, 2002) and today was unintentional.

In further support of this Petition, Applicants enclose a Response to the September 3 Office Action as well as the Petition Fee required by 37 CFR §1.17(m).

The Commissioner is authorized to charge Deposit Account 23-1950 for the Petition Fee required by 37 CFR §1.17(m) and any other fees required in connection with this communication. A duplicate copy of this sheet is enclosed.

Respectfully Submitted:



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Dated: 6 May 2003